IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION No.17712 OF 2006

Between:

N.Niranjan, S/o. Sayanna.

..... PETITIONER

AND

The Government of A.P. rep. by its
Superintendent of Police,
Mahabubnagar District,
And another.

....RESPONDENTS

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION No.17712 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

This writ petition is filed with a prayer as follows:

> **"… Hon'ble Court may pleased to issue a writ, order or direction, more particularly, one in the nature of Writ of Habeas Corpus directing the respondents herein to produce the detenue by name P.Krishnaiah, who is working as NMR in Mahabubnagar Municipality, Mahabubnagar District before this Hon'ble Court and be released from the custody of the respondents and …"**

The petitioner complains that his brother-in-law Mr.P.Krishnaiah was in the custody of the 2nd respondent from 16.08.2006 without being produced before any Court, as is required under the Constitution and the Criminal Procedure Code.

Notice before admission was ordered on 25.08.2006. The learned Advocate General took notice and filed counter-affidavit on behalf of the 2nd respondent.

The 2nd respondent denied totally the allegations made by the petitioner and also produced a certificate issued by the Mandal Executive

Magistrate & Mandal Revenue Officer, Mahabubnagar, to the effect that the alleged detenu is freely moving in Mahabubnagar. Even according to the learned counsel for the petitioner, the alleged detenu is now freely moving in the town. It appears from the counter-affidavit that the alleged detenu is figured as an accused in Crime No.86 of 2006 on the file of Mahabubnagar I Town Police Station, Mahabubnagar under Section 420 IPC.

In the circumstances, we do not see any reason to proceed further in the writ petition and the same is accordingly dismissed at the stage of admission itself.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

20th SEPTEMBER, 2006
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.17712 OF 2006
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20th SEPTEMBER, 2006